IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24206 of 2004

Between:

1 Mohd. Abdullah Khan S/o Late Hyder Khan,
R/o Bhuktapur Locality, Adilabad Town, District Adilabad
2 Rasheeda Begum W/o Mohd. Abdullah Khan
R/o Bhuktapur Locality, Adilabad Town, District Adilabad

..... PETITIONERS

AND

1 The District Collector, Adilabad, District Adilabad
2 The Revenue Divisional Officer, Adilabad District Adilabad
3 The Mandal Revenue Officer, Adilabad District Adilabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction or issue an appropriate Writ more particularly one in the nature of Writ of Mandamus:- (i) directing the respondents herein to issue title deeds pursuant to Section 6 A of A.P. Rights in Land and Pattedar Pass books Act 1971 and its rules, and also enter the names of the petitioners in the pattedar column of pahani Patrak and other relevant revenue records in respect to the land of the petitioners herein ie. 5 acres land of petitioner No.1 and another 5 acres land of petitioner No.2 situated in Sy. No. 72/4 of Savargaon Village, Mandal and District Adilabad and; (ii) Further direct the respondents not to disturb and dispossess the petitioners from the above said land and; (iii) Declare the said action of the respondents is illegal, arbitrary and violative of Article 14, 21 and 300-A of the Constitution of India.

For the Petitioners: MR.S.CHANDRASEKHAR, Advocate

For the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The petitioners claim to have purchased each an extent of Ac.5-00 of land situated in Survey No.72/4 of Savargaon Village and Mandal of Adilabad District, in the year 1980, from one Chintala Rajanna, who purchased it in the year 1966 from one Ragam Devuga who got the same under an assignment made by the Government in the year 1952-53, and thereafter, it is stated, the names of the petitioners are not mutated in the revenue records and no pattadar pass books and title deeds are issued in their names, and in the year 1994 when the third respondent-Mandal Revenue Officer was trying to dispossess them from the land in the guise of violation of assignment Rules, they filed W.P. No.15233 of 1994, wherein this Court directed the respondents to conduct an enquiry under the provisions of Act 9 of 1977 as to whether the land in question is an assigned land or not. Their grievance is that though in pursuance thereof, the third respondent-Mandal Revenue Officer conducted enquiry, no orders have been passed directing mutation of their names in the revenue records and issuing pattadar pass books and title deeds to them in respect of the land.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the third respondent-Mandal Revenue Officer, Adilabad to pass orders on the enquiry, if any, conducted by him in respect of the land in pursuance of the orders of this Court in W.P. No.15233 of 1994, dated 10-06-1999, and if he finds that the petitioners, in accordance with law, are eligible for pattadar pass books and title deeds for the land in question, they shall be issued such documents.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

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N.V. RAMANA, J

Date: 27-12-2004

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To

1 The District Collector, Adilabad, District Adilabad
2 The Revenue Divisional Officer, Adilabad District Adilabad
3 The Mandal Revenue Officer, Adilabad District Adilabad

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

5 Two C.D.copies.